

FOI0001-10384

SECRET

A-R - Mr. Panuch

SA-L - S. Klaus

H. R. 3663 The Gossett Bill

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY Jack

DATE June 24, 1948.

RDS for EXHIBIT. DATE

TS AUTH.

PA OH(S)

ENCLOSURE LISTING MARKING

CLASSIFICATION ☒ UNCLASSIFIED

RELEASE DURING

PA or FOI EXEMPTIONS

1. The Gossett Bill has apparently been reported out to the House; there is no Senate companion bill. On reading the bill I find that I entertain considerable doubt whether this bill will accomplish the national and international policy of the United States to exclude Pan-Germans and prevent a recurrence of the situation we found in this war when we could not restrain, intern or denaturalize persons working or preparing to work in the interest of the Pan-German cause. The subject is important also because there is a likelihood that the Visa Division and the Immigration authorities will consider this declaration by Congress to be the paramount declaration of government policy respecting the admission of all Germans. Its passage is likely to be followed by a great many applications for admission to the United States.

2. The bill provides that any person who, since December 7, 1941, served in the enemy armed forces, or who is or has at any time been a member of the Nazi Party and several other Nazi organizations "auxiliary to or supporting nazism or fascism," or any person classified as a War Criminal by the United Nations War Crimes Commission shall be excluded from entry and from naturalization. However, the force of the foregoing is considerably diminished and rendered doubtful by Section 3. That section provides that any person of the foregoing categories may be admitted and become a citizen if he "can prove beyond a reasonable doubt his hostility and his opposition to nazism and fascism between December 7, 1941 and May 8, 1945;" in the case of a person who served in the enemy armed forces, he may furnish "additional proof that such service was involuntary and against his will."

3. There is an obvious construction problem with respect to former soldiers; that is, if the only ground

of exclusion

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of exclusion is that the applicant is a former enemy (e.g. Hungarian) soldier, is it necessary for him to prove opposition to nazism at all so long as he proves that his service was involuntary? It is obvious that the exemption on this score leaves the door wide open since almost everybody served by conscription in one form or another, and hence almost anybody could prove that the service was involuntary and against his will. On the other hand, if the bill means that the person must show that he attempted to escape or resisted induction by force, etc. it should be so stated; in the absence of such a statement the provision can hardly be construed to mean other than that only pure volunteers--i.e. and the like--would be covered.

4. With respect to the first portion we have the more difficult construction and policy questions:

a. What is "nazism" and what is "fascism"? Is it limited to the National Socialist Party, or to the Italian Fascist Party, or is it intended to cover a concept? If a man was in the SS or SA or Gestapo, can he become eligible for entry by showing that he preferred, at any time between the dates, some other totalitarian leader than Hitler or Mussolini?

b. Does he have to show that he was hostile throughout the period in question or just at any time?

c. Suppose he cannot prove beyond a reasonable doubt that he has been opposed to the Hitler doctrine since May 8, 1945, but can as to the period between December 7, 1941 and May 8, 1945?

d. What does hostility and opposition consist of? May it be merely subjective?

e. Suppose he has become a Socialist or democrat but is in favor of a unified Germany, or a restoration of German lost territories--does that make him a Nazi still?

f. It is possible that this exemption would permit the entry, therefore, of all sorts of Abwehr members, dissident National Socialists and so-called anti-Nazi Pan-Germanists, and a lot of others who could show some

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evidence of having got a foot on the band wagon when they saw that Hitler was through. This presents a security problem of importance with respect to possible future German resurgence movements. In so far as immigration restrictions are supposed to act as a sort of reward or punishment the bill falls far short of being adequate.

5. While it would be possible for us to work out a policy document for the Visa Division and the consuls, we would have to rely on a good deal of departmental construction and we would have to work out an inter-departmental understanding with Justice--Immigration and Naturalization--for a consistent and unified government construction. It would seem much more desirable at this stage, however, to seek to amend the bill in the Senate in order to clear up the ambiguities and to get rid of the difficult and irrelevant standard provided in Section 3.

6. I would suggest that this problem be assigned on the policy level to FC together with the other policy problems referred to in my prior memorandum on the necessity to coordinate policy on the admission of Germans.

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Union Calendar No. 603

79TH CONGRESS
2D SESSION

H. R. 3663

[Report No. 2041]

IN THE HOUSE OF REPRESENTATIVES

JULY 3, 1945

Mr. Gossett introduced the following bill; which was referred to the Committee on Immigration and Naturalization

MAY 14, 1946

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the immigration and naturalization laws to deny admission to the United States of certain aliens who have served in the armed forces of countries at war with the United States, also members of certain parties and organizations, and to deny naturalization to such persons, and to reduce immigration quotas.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That section 3 of the Act of February 5, 1917 (39 Stat.
- 4 875), as amended, is further amended by inserting the fol-
- 5 lowing clauses before the clause "persons who have been con-
- 6 victed of or admit having committed a felony or other crime

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1 or misdemeanor involving moral turpitude;" "persons who,
2 since December 7, 1941, have served in the armed forces
3 of any country while such country was at war with the
4 United States, or any person who is or at any time has been
5 a member of the Nazi Party, or of the Fascist Party, or of
6 the Gestapo, or the Schutz Staffel, or of the Sturm Ab-
7 teilung, or of any other organization or party auxiliary to or
8 supporting nazism or fascism, or any person classified as a
9 war criminal by the Allied War Crimes Commission".

10 Sec. 2. The Nationality Act of 1940 (54 Stat. 1137;
11 U. S. C. 907), is hereby amended by adding a new section
12 to be known as section 306A to read as follows:

13 "Sec. 306A. A person who since December 7, 1941,
14 has served in the armed forces of any country while such
15 country was at war with the United States, or any person
16 who is or at any time has been a member of the Nazi Party,
17 or of the Fascist Party, or of the Gestapo, or of the Schutz
18 Staffel, or of the Sturm Abteilung, or of any other organiza-
19 tion or party auxiliary to or supporting nazism or fascism,
20 or any person classified as a war criminal by the Allied War
21 Crimes Commission, shall be ineligible to become a citizen
22 of the United States."

23 Sec. 3. Any person described in section 1 of this Act
24 who can prove beyond a reasonable doubt his hostility
25 toward and his opposition to nazism and fascism between

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1 December 7, 1941, and May 8, 1945, and if such person
2 served in the armed forces of any country while such country
3 was at war with the United States as described in section 1,
4 who can furnish additional proof that such service was in-
5 voluntary and against his will, is exempt from the aforesaid
6 provisions of this Act.

7 SEC. 4. That section 28 (c) of the Immigration Act
8 of 1924 (43 Stat. 168; U. S. C., title 8, sec. 224 (c)), is
9 hereby amended to read as follows:

10 "(c) The term 'ineligible to citizenship' when used in
11 reference to any individual, includes an individual who is
12 debarred from becoming a citizen of the United States under
13 section 303, 306, or 306A of the Nationality Act of 1940,
14 as amended, or section 3 (a) of the Selective Training and
15 Service Act of 1942, as amended, or under any law amend-
16 tory of, supplementary to, or in substitution for, any such
17 sections."

18 SEC. 5. For a period of ten years beginning July 1,
19 1945, the quota in the case of any nationality for which a
20 quota has been determined and proclaimed under the Im-
21 migration Act of 1924, as amended, shall be one-half of
22 such quota, but the minimum quota of any nationality shall
23 be one hundred.

24 That section 3 of the Act of February 5, 1917 (39 Stat.
25 875), as amended, is further amended by inserting the

1 following clauses before the clause "persons who have been
2 convicted of or admit having committed a felony or other
3 crime or misdemeanor involving moral turpitude;": "persons
4 who, since December 7, 1941, have served in the armed
5 forces of any country while such country was at war with
6 the United States, or any person who is or at any time
7 has been a member of the Nazi Party, or of the Fascist
8 Party, or of the Gestapo, or of the Schutz Staffel, or of the
9 Sturm Abteilung, or of any other organization or party
10 auxiliary to or supporting nazism or fascism, or any person
11 classified as a war criminal by the United Nations War
12 Crimes Commission".

13 SEC. 2. The Nationality Act of 1940 (54 Stat. 1137;
14 U. S. C. 907). is hereby amended by adding a new section
15 to be known as section 306A to read as follows:

16 "SEC. 306A. A person who since December 7, 1941,
17 has served in the armed forces of any country while such
18 country was at war with the United States, or any person
19 who is or at any time has been a member of the Nazi Party,
20 or of the Fascist Party, or of the Gestapo, or of the Schutz
21 Staffel, or of the Sturm Abteilung, or of any other organiza-
22 tion or party auxiliary to or supporting nazism or fascism,
23 or any person classified as a war criminal by the United
24 Nations War Crimes Commission, shall be ineligible to be-
25 come a citizen of the United States."

1 SEC. 3. Any person described in section 1 of this Act
2 who can prove beyond a reasonable doubt his hostility toward
3 and his opposition to nazism and fascism between December
4 7, 1941 and May 8, 1945, and if such person served in the
5 armed forces of any country while such country was at war
6 with the United States as described in section 1, who can
7 furnish additional proof that such service was involuntary
8 and against his will, is exempt from the aforesaid provisions
9 of this Act.

10 SEC. 4. That section 28 (c) of the Immigration Act of
11 1924 (43 Stat. 168; U. S. C., title 8, sec. 224 (c)), is
12 hereby amended to read as follows:

13 "(c) The term 'ineligible to citizenship' when used in
14 reference to any individual, includes an individual who is
15 debarred from becoming a citizen of the United States under
16 section 303, 306, or 306A of the Nationality Act of 1940, as
17 amended (54 Stat. 1140, 1141; U. S. C., title 8, secs. 703,
18 706), or section 3 (a) of the Selective Training and Service
19 Act of 1940, as amended (55 Stat. 845; 50 App. U. S. C.
20 Supp. 303 (a)), or under any law amendatory or supple-
21 mentary to, or in substitution for, any such sections;

22 SEC. 5. That section 3 of the Act of February 5, 1917
23 (39 Stat. 875), as amended, is further amended by inserting
24 the following clause before the clause, "anarchists, or persons
25 who believe in propagating the overthrow by force or violence

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1 of the Government of the United States, or of all forms of
2 law, or who disbelieve in or are opposed to organized gov-
3 ernment, or who advocate the assassination of public officials,
4 or who advocate or teach the unlawful destruction of prop-
5 erty," "persons who the Attorney General knows or has
6 reason to believe seek to enter the United States for the pur-
7 pose of engaging in activities which will endanger the public
8 safety of the United States".

Amend the title so as to read: "A bill to amend the
immigration and naturalization laws to deny admission to
the United States of certain aliens who have served in the
armed forces of countries at war with the United States,
also members of certain parties and organizations, and to
deny naturalization to such persons, and to deny admission
to the United States of persons who the Attorney General
knows or has reason to believe seek to enter the United
States for the purpose of engaging in activities which will
endanger the public safety of the United States."

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AMENDING THE IMMIGRATION AND NATURALIZATION LAWS TO
DENY ADMISSION TO THE UNITED STATES OF CERTAIN ALIENS
WHO HAVE SERVED IN THE ARMED FORCES OF COUNTRIES AT
WAR WITH THE UNITED STATES, ALSO MEMBERS OF CERTAIN
PARTIES AND ORGANIZATIONS, AND TO DENY NATURALIZA-
TION TO SUCH PERSONS, AND TO REDUCE IMMIGRATION
QUOTAS

MAY 14, 1926.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. Gossett, from the Committee on Immigration and Naturaliza-
tion, submitted the following:

REPORT

[To accompany H. R. 3665]

The Committee on Immigration and Naturalization, to whom was
referred the bill (H. R. 3665), to amend the immigration and naturaliza-
tion laws to deny admission to the United States of certain aliens
who have served in the armed forces of countries at war with the
United States, also members of certain parties and organizations, and
to deny naturalization to such persons, and to reduce immigration
quotas, having considered the same, report favorably thereon with
amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

First. On page 1, amend the title by striking out the last three
words, reading "reduce immigration quotas", and insert therefor the
following:

deny admission to the United States of persons who the Attorney General knows
or has reason to believe seek to enter the United States for the purpose of en-
gaging in activities which will endanger the public safety of the United States.

Second. Strike out all after the enacting clause and insert in lieu
thereof the following:

That section 3 of the Act of February 5, 1917 (39 Stat. 875), as amended, is
further amended by inserting the following clauses before the clause "persons who
have been convicted of or acquitted having committed a felony or other crime or
misdemeanor involving moral turpitude": "persons who, since December 7, 1941,
have served in the armed forces of any country while such country was at war
with the United States, or any person who is or at any time has been a member of
the Nazi Party, or of the Fascist Party, or of the Gestapo, or of the Schutzstaffel,
or of the Sturmabteilung, or of any other organization or party auxiliary to or
supporting nazism or fascism, or any person classified as a war criminal by the
United Nations War Crimes Commission."

Sec. 2. The Nationality Act of 1940 (54 Stat. 1137; U. S. C. 907), is hereby
amended by adding a new section to be known as section 305A to read as follows:

"Sec. 336A. A person who since December 7, 1941, has served in the armed forces of any country while such country was at war with the United States, or any person who is or at any time has been a member of the Nazi Party, or of the Fascist Party, or of the Gestapo, or of the Schutzstaffel, or of the Sturmabteilung, or of any other organization or party auxiliary to or supporting nazism or fascism, or any person classified as a war criminal by the United Nations War Crimes Commission, shall be ineligible to become a citizen of the United States."

Sec. 3. Any person described in section 1 of this Act who can prove beyond a reasonable doubt his hostility toward and his opposition to nazism and fascism between December 7, 1941, and May 8, 1945, and if such person served in the armed forces of any country while such country was at war with the United States as described in section 1, who can furnish additional proof that such service was involuntary and against his will, is exempt from the aforesaid provisions of this Act.

Sec. 4. That section 28 (c) of the Immigration Act of 1924 (43 Stat. 168; U. S. C., title 8, sec. 224 (c)), is hereby amended to read as follows:

"(c) The term 'ineligible to citizenship' when used in reference to any individual, includes an individual who is debarred from becoming a citizen of the United States under section 303, 306, or 306A of the Nationality Act of 1940, as amended (54 Stat. 1140, 1141; U. S. C., title 8, secs. 703, 706), or section 3 (a) of the Selective Training and Service Act of 1940, as amended (55 Stat. 810; 50 App. U. S. C. Supp. 303 (a)), or under any law amendatory of, supplementary to, or in substitution for, any such sections."

Sec. 5. That section 3 of the Act of February 5, 1917 (39 Stat. 875), as amended, is further amended by inserting the following clause before the clause, "anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property": "persons who the Attorney General knows or has reason to believe seek to enter the United States for the purpose of engaging in activities which will endanger the public safety of the United States."

PURPOSE OF THE BILL

The purpose of the bill is quite well defined in its title. It adds additional excluded classes to the basic Immigration Act of 1917 and, likewise, denies the right of naturalization to certain classes of persons who are not considered good material for citizenship.

GENERAL INFORMATION

A section-by-section analysis best describes the purpose of this measure—

Section 1.—Section 1 of the bill proposes to amend section 3 of the Immigration Act of February 5, 1917, as amended (39 Stat. 875; 8 U. S. C. 136), which describes the classes of aliens excluded from admission into the United States. The amendment would add a new class of excluded aliens consisting of persons who since December 7, 1941, served in the armed forces of any country at war with the United States, or of any person who at any time had been a member of the Nazi Party, the Fascist Party, the Gestapo, the Schutzstaffel, the Sturmabteilung, or of any other organization or party auxiliary to or supporting nazism or fascism, or any person classified as a war criminal by the United Nations War Crimes Commission.

Section 2.—Section 2 proposes to amend chapter (1) of the Nationality Act of 1940 (54 Stat. 1140; 8 U. S. C. 701 et seq.). This chapter deals with nationality through naturalization. The amendment would provide that the class of persons described above in connection with section 1 of the bill would be ineligible to become citizens of the United States.

Section 3.—Section 3 provides that any person described in section 1 would be exempt from the provisions of sections 1 and 2 of the act if he could prove beyond a reasonable doubt his hostility toward and his opposition to nazism and fascism between December 7, 1941, and May 8, 1945. If such person served in the armed forces of any country at war with the United States, he must furnish additional proof that such service was involuntary and against his will.

Section 4.—Section 4 is merely ancillary to section 2 of the bill and proposes to amend section 28 (c) of the Immigration Act of 1924 (43 Stat. 168; 8 U. S. C. 14 (c)). Section 28 contains definitions of terms used in the act. Section (c) defines the phrase "ineligible to citizenship." Section 2 of the bill makes certain classes of aliens ineligible to become citizens of the United States and, therefore, that group should be specified in section 28 (c).

Section 5.—Under the terms of the act of June 30, 1941 (55 Stat. 252), it is provided that whenever any American diplomatic or consular officer knows or has reason to believe that any alien seeks to enter the United States for the purpose of engaging in activities which will endanger the public safety of the United States, he shall refuse to issue to such alien any immigration visa, passport visa, transit certificate, or other document entitling such alien to present himself for admission into the United States. This provision was never carried through in the immigration laws as a cause for exclusion. In other words, if an alien could succeed in deceiving a consul, secure an immigration visa, and be discovered by an immigrant inspector to be a person whose presence here might endanger the public safety, he could not be excluded under existing law unless some independent cause of exclusion was found to exist.

The Departments of State and Justice find no objection to the enactment of legislation of this type.

The committee has given this proposed legislation long and serious study and consideration. It believes that it is definitely in the interest of the United States, is highly desirable, and, therefore, recommends that the bill, as amended, do pass.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by this bill are shown as follows (existing law in which no change is made is printed in roman; omitted matter is printed within black brackets; the new matter is printed in italics):

Section 3 of the act of February 5, 1917 (39 Stat. 875):

Sec. 3. That the following classes of aliens shall be excluded from admission into the United States: Ali idiots, imbeciles, feeble minded persons, ~~and~~ *and* insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority; persons with chronic alcoholism; paupers; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have departed from the jurisdiction of the United States for the purpose of evading or avoiding training or service in the armed forces of the United States during time of war or during a period declared by the President to be a period of national emergency (sec. 2, Public Law 431, approved September 27, 1944); *persons who, since December 7,*

1941, have served in the armed forces of any country while such country was at war with the United States, or any person who is or at any time has been a member of the Nazi Party, or of the Fascist Party, or of the Gestapo, or of the Sturmabteilung, or of any other organization or party auxiliary to or supporting nazism or fascism, or any person classified as a war criminal by the United Nations War Crime Commission; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who practice polygamy or believe in or advocate the practice of polygamy; persons who the Attorney General knows or has reason to believe seek to enter the United States for the purpose of engaging in activities which will endanger the public safety of the United States; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the reckless assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who advocate or teach the unlawful destruction of property; prostitutes, or persons coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who directly or indirectly procure or attempt to procure or import prostitutes or persons for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution; persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisement for laborers printed, published, or distributed in a foreign country; persons likely to become a public charge; persons who have been excluded from admission and deported in pursuance of law, and who may again seek admission within one year from the date of such deportation, unless prior to their reembarkation at a place outside the United States or their attempt to be admitted from foreign contiguous territory the Attorney General has consented to their reapplying for admission; persons whose ticket or passage is paid for with the money of another, or who are assisted by others to come, unless it is affirmatively and satisfactorily shown that such persons do not belong to one of the foregoing excluded classes; persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; stowaways, except that any such stowaway, if otherwise admissible, may be admitted in the discretion of the Attorney General; all children under sixteen years of age, unaccompanied by or not coming to one or both of their parents, except that any such children may, in the discretion of the Attorney General, be admitted if in his opinion they are not likely to become a public charge and are otherwise eligible; unless otherwise provided for by existing treaties, persons who are natives of islands not possessed by the United States adjacent to the continent of Asia, situate south of the twentieth parallel latitude north, west of the one hundred and sixtieth meridian of longitude east from Greenwich, and north of the tenth parallel of latitude south, or who are natives of any country, province, or dependency situate on the Continent of Asia west of the one hundred and tenth meridian of longitude east from Greenwich and east of the fiftieth meridian of longitude east from Greenwich and south of the fiftieth parallel of latitude north, except that portion of said territory situate between the fiftieth and the sixty-fourth meridians of longitude east from Greenwich and the twenty-fourth and thirty-eighth parallels of latitude north, and no alien now in any way excluded from, or prevented from entering, the United States shall be admitted to the United States. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officials, ministers or religious teachers, missionaries, lawyers, physicians, chemists, civil engineers, teachers, students, authors, artists, merchants, and travelers for curiosity or pleasure, nor to their legal wives or their children under sixteen years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the

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excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section nineteen of this Act.

That after three months from the passage of this Act in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to-wit:

All aliens over sixteen years of age, physically capable of reading, who cannot read the English language, or some other language or dialect, including Hebrew or Yiddish: *Provided*, (1) That any alien, or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over fifty-five years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relative shall be permitted to enter.

That for the purpose of ascertaining whether aliens can read, the immigrant inspectors shall be furnished with slips of uniform size, prepared under the direction of the Attorney General, each containing not less than thirty nor more than forty words in ordinary use, printed in plainly legible type in some one of the various languages or dialects of immigrants. Each alien may designate the particular language or dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect.

That the following classes of persons shall be exempt from the operation of the illiteracy test: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Attorney General that they are seeking admission to the United States to avoid religious persecution in the country of their last permanent residence, whether such persecution be evidenced by overt acts or by laws or governmental regulations that discriminate against the alien on the basis of his religious faith; all aliens who have been lawfully admitted to the United States and who have resided therein continuously for five years, and who return to the United States within six months from the date of their departure therefrom; all aliens in transit through the United States; all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory.

Provided, (2) That nothing in this Act shall exclude, if otherwise admissible, persons convicted, or who admit the commission, or who teach or advocate the commission, of an offense purely political: *Provided further*, (3) That the provisions of this Act, relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign Government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory:

Provided further, (4) That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed cannot be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Attorney General upon the application of any person interested, such application to be made before such importation, and such determination by the Attorney General to be reached after a full hearing and an investigation into the facts of the case: *Provided further*, (5) That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed as domestic servants:

Provided further, (6) That whenever the President shall be satisfied that passports issued by any foreign Government to its citizens or subjects to go to any country other than the United States, or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holder to come to the continental territory of the United States to the detriment of labor conditions therein, the President shall refuse to permit such citizens or subjects of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possession or from the Canal Zone:

Provided further, (7) That aliens returning after a temporary absence to an unrelinquished United States domicile of seven consecutive years may be admitted in the discretion of the Attorney General, and under such conditions as he may prescribe:

Provided further, (8) That nothing in the contract-labor or reading-test provisions of this Act shall be construed to prevent, hinder, or restrict any alien exhibitor, or holder of concession or privilege for any fair or exposition authorized by Act of Congress, from bringing into the United States, under contract, such otherwise admissible alien mechanics, artisans, agents, or other employees, natives of his country as may be necessary for installing or conducting his exhibit or for preparing for installing or conducting any business authorized or permitted under any concession or privilege which may have been or may be granted by any

such fair or exposition in connection therewith, under such rules and regulations as the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, may prescribe both as to the admission and return of such persons: *Provided further*, (9) That the Commissioner of Immigration and Naturalization with the approval of the Attorney General shall issue rules and prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of otherwise inadmissible aliens applying for temporary admission: *Provided further*, (10) That nothing in this Act shall be construed to apply to accredited officials of foreign Governments, nor to their suites, families, or guests.

Nationality Act of 1940 (54 Stat. 2127; U. S. C. 907):

SEC. 306A. *A person who since December 7, 1941, has served in the armed forces of any country while such country was at war with the United States, or any person who is or at any time has been a member of the Nazi Party, or of the Fascist Party, or of the Gestapo, or of the Schutzstaffel, or of the Sturmabteilung, or of any other organization or party auxiliary to or supporting nazism or fascism, or any person classified as a war criminal by the United Nations War Crimes Commission, shall be ineligible to become a citizen of the United States.*

SEC. 5. *Any person described in section 1 of this Act who can prove beyond a reasonable doubt his hostility toward and his opposition to nazism and fascism between December 7, 1941, and May 8, 1945, and if such person served in the armed forces of any country while such country was at war with the United States as described in section 1, who can furnish additional proof that such service was involuntary and against his will, is exempt from the aforesaid provisions of this Act.*

Section 28 (c) of the Immigration Act of 1924 (43 Stat. 168; 8 U. S. C. 224 (c)):

SEC. 28 (c). The term "ineligible to citizenship", when used in reference to any individual, includes an individual who is debarred from becoming a citizen of the United States under section 303, [for] 306, or 306A of the Nationality Act of 1940, as amended (54 Stat. 1140, 1141; U. S. C., title 8, secs. 703, 706), or section 3 (a) of the Selective Training and Service Act of 1940, as amended (55 Stat. 945; 50 App. U. S. C. Supp. 303 (c)), or under any law amendatory of, supplementary to, or in substitution for, any such sections.

NOTE.—Section 5 included in section 1, and both sections shown as new matter in section 3 of the basic Immigration Act of February 5, 1917.